

Notice of Agency Rule-making Proposal

AGENCY: Department of Health and Human Services, Division of Licensing and Regulatory Services, Community Services Programs

RULE TITLE OR SUBJECT: 14-118 CMR Chapter 5, Regulations for Licensing and Certifying of Substance Abuse Treatment Programs

PROPOSED RULE NUMBER: (LEAVE BLANK - ASSIGNED BY SECRETARY OF STATE):

CONCISE SUMMARY (UNDERSTANDABLE BY AVERAGE CITIZEN): The federal SAMHSA [U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration] Co-occurring State Infrastructure Grant (COSIG) is helping Maine develop an infrastructure that will make it possible for providers to offer integrated, co-occurring treatment services. The major focus of the COSIG grant is the development of a regulatory, fiscal and policy framework that will support universal, co-occurring competent practice statewide. This amendment of Chapter 5 incorporates rules to support co-occurring practices. The following additions, deletions and technical/format changes have been made to Chapter 5.

Added to the rule. Addition of co-occurring language throughout chapter 5. Addition of an addendum of abbreviations and acronyms used throughout chapter 5. **Section 1** Definitions added: Contracted staff; Co-occurring Disorder (COD); Welcoming (a core clinical concept); Differential Substance Abuse Treatment Program (DSAT); other program definitions; and Medication Assisted Treatment (MAT). **Section 8.** For clarity, the personnel records for employees (8.2) has been edited and **Section 13** now contains the personnel records for contracted staff (13.1.1) and volunteers and students (13.4) **Section 9.** A 'minimum clinical staff' section has been edited for clarity (9.1) and co-occurring competencies have been added to the 'staff credentials' section (9.2.). **Section 15.** Coordination and collaboration provisions have been added to ensure communication among all providers and service components for each client (15.6). Assessments include a mental health screening requirement (15.7.1.1). **Section 19.** For clarity, OTP federal regulatory provisions (19.8.2) and OTP waiver provisions (19.8.3) have been reordered. Rehabilitation Counseling (19.8.5.4 – 19.8.5.9) includes phases 1 through 5. Exception Requests and Record of Justification for client exceptions is clarified (19.8.11). The social setting detoxification program staffing requirements (19.9.3) and documentation requirements for client records have been clarified (19.9.5).

Deleted from the rule. Some items in the definitions [Section 1] have been deleted, including acronyms and verbs 'may' and 'shall'. Interpretive guidelines have been deleted and incorporated into the rules, as appropriate. The 'Organization Diagram' (Addendum I) has been deleted.

Technical/formatting changes to the rule. Some sections have been renumbered. Some sections have been reordered. Names of state agencies have been updated.

The proposed rules are available on the Division of Licensing and Regulatory Services' website at http://www.maine.gov/dhhs/dlrs/public_hearings/home.html Call 207 287-9250 to have a paper copy of the rule mailed to you.

THIS RULE ~~will~~ WILL NOT X HAVE A FISCAL IMPACT ON MUNICIPALITIES.

STATUTORY AUTHORITY: 5 MRSA § 20005(6); 5 MRSA § 20024; AND 22-A MRSA § 205(2)

PUBLIC HEARING:(if any, give date, time, location) Tuesday, November 13, 2007 at 10 am in the Conference Room, 41 Anthony Avenue, Augusta, Maine.

DEADLINE FOR COMMENTS: Friday, November 23, 2007 at 5 pm.

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Please approve bottom portion of this form and assign appropriate MFASIS number.

APPROVED FOR PAYMENT _____ DATE: _____

Catherine M. Cobb, Director

FUND	AGENCY	ORG	APP	JOB	OBJT	AMOUNT
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